

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA

)

v.

)

CASE NO. CR415-095

STACY PAUL WADDELL,

)

Defendant.

)

O R D E R

Before the Court is the Government's Motion in ~~mine~~ 2:20
which seeks to prohibit Defendant from introducing at trial
evidence or testimony that includes self-serving hearsay.
(Doc. 187.) Specifically, the Government anticipates that
Defendant intends to offer at trial documents, such as text
messages and e-mails, that contain statements Defendant
made to certain witnesses. Absent the actual statements and
the context in which they will be offered, the Court is
unable at this time to determine the admissibility of
possible evidence or testimony Defendant may seek to
introduce at trial. For this reason, the Government's
motion is **DENIED**. If necessary, the Government may renew
its objection at trial.

While the Court has denied the Government's motion,
Defendant should be aware that the Court will preclude him
from introducing at trial any evidence or testimony that is

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prohibited as hearsay as defined in Federal Rule of Evidence 801. See Fed. R. Evid. 802 (prohibiting the introduction of hearsay). Should Defendant seek to introduce at trial any of his prior statements through a testifying witness, that prior statement must either not qualify as hearsay, see Fed. R. Evid. 801(c)-(d), or fall under an exception to the rule, see id. 803. Otherwise, the statement will be deemed inadmissible hearsay and the Court will prohibit its introduction at trial.

SO ORDERED this 30th day of June 2016.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA